

EXHIBIT 2

AO 450 (Rev. 5/85) Judgment in a Civil Case

UNITED STATES DISTRICT COURT

DISTRICT OF HAWAII

WAYNE BERRY

Plaintiff(s),

V.

FLEMING COMPANIES, INC., aka
FLEMING FOODS, INC., aka
FLEMING, DOE INDIVIDUALS 1-50
AND DOE PARTNERSHIPS,
CORPORATIONS AND OTHER
ENTITIES 1-20

Defendant(s).

JUDGMENT IN A CIVIL CASE

Case: CV 01-00446SPK-LEK

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

January 20, 2005

At 4 o'clock and 00 min p.m.
WALTER A.Y.H. CHINN, CLERK

☒ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

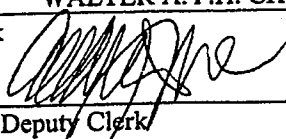
☒ **Decision by Court.** This action came for consideration before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that Judgment is entered in favor of Plaintiff Wayne Berry in the amount of \$98,250.00 against Defendant Fleming Companies as to Freight Control System Software; and in favor of Defendant Fleming Companies as to Crystal Reports Software and Fleming PO.EXE Software pursuant to the "Special Verdict Form" filed March 6, 2003 and the "Order Denying Post-Trial Motions" filed on December 27, 2004.

IT IS FURTHER ORDERED AND ADJUDGED that the Court finds Plaintiff Wayne Berry the prevailing party for purposes of 17 U.S.C. § 505 and awards attorneys' fees of \$28,368.79 and costs of \$17,217.93 for a total award of \$45,586.72 pursuant to the "Order Denying Defendant's Motion For Attorneys' Fees and Granting in Part Plaintiff's Motion for Award of Attorneys' Fees and Full Costs" filed on December 28, 2004.

cc: all counsel of record

January 20, 2005
Date

WALTER A.Y.H. CHINN
Clerk

(By) Deputy Clerk

JAN 21 2005

UNITED STATES DISTRICT COURT

DISTRICT OF HAWAII
OFFICE OF THE CLERK
300 ALA MOANA BLVD., RM C-338
HONOLULU, HAWAII 96850

WALTER A.Y.H. CHINN
CLERK

TEL (808) 541-1300
FAX (808) 541-1303

January 20, 2005

TO ALL COUNSEL

Re: CV 01-00446SPK-LEK
WAYNE BERRY vs. FLEMING COMPANIES, INC. Et al

Dear Counsel,

Please be advised that pursuant to Rule 77, FRCP, notice is hereby given that judgment was entered on January 20, 2005.

Sincerely yours,

WALTER A.Y.H. CHINN, CLERK

by: 
Deputy Clerk

cc: all counsel of record

JAN 21 2005